## Amendment After Final Action Under 37 C.F.R. 1.116

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: October 21, 2010 Signature: /Christina M. Sperry/

(Christina M. Sperry, Reg. No. 47,106)

Docket No.: 101896-251 (DEP5318) (PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Michael A. Slivka et al.

Application No.: 10/709,796

Confirmation No.: 3795

Art Unit: 3733 Filed: May 28, 2004

For: NON-FUSION SPINAL CORRECTION SYSEMS Examiner: M. C. Hoffman

AND METHODS

## AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. 1.116

MS AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

## INTRODUCTORY COMMENTS

This paper is in response to the final Office Action dated September 2, 2010.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.